

REMARKS

Claims 20-32 are pending in the above-identified patent application. It is proposed that Claims 20-25 and 28 be amended. Applicants believe that entry of this Amendment is appropriate since the Final Office Action was based upon newly applied references. Applicants respectfully request entry of this Amendment, and reconsideration and allowance of this application.

Applicants believe that the Amendment overcomes the objection to Claim 28. Applicants request withdrawal of this objection.

The rejection of Claims 20-25 and 27 under 35 U.S.C. 103(a) as being unpatentable over Fahy (U.S.P.N. 5,488,984) in view of van Ooij et al. (U.S.P.N. 5,108,793), is respectfully traversed.

Fahy discloses a process for treating metal components, which are die punched from a sheet, that are used in manufacturing an electric motor. Conventional practice for treating the metal components involved acidic or atmospheric heat treatments. The treated metal components are exposed to molten aluminum. The problem solved by Fahy relates to preventing soldering/adhesion of molten aluminum to the metal components. Fahy lacks any disclosure relating to corrosion, or any need to improve the corrosion resistance of the metal components (Note: that conventional practice purposefully corroded the metal components in order to obtain a modified metal surface).

Van Ooij relates to silane chemistry that is used for treating a steel sheet (not discrete die punched components), in order to improve corrosion resistance of the sheet (e.g., resistance to salt spray). The silane treated components are then painted. It is important to note that the silane chemistry is intended to promote adhesion to an overlying layer (e.g., refer to the scribe test in Example 1 which is designed to measure paint adhesion). The disclosure of van Ooij lacks any disclosure that silane chemistry is useful in treating electric motor components, or improving resistance to molten metals, or reducing adhesion between steel and aluminum. Neither Fahy or van Ooij provide any basis for equating or substituting corrosion resistance for resistance to molten metal or preventing adhesion/solder between steel and aluminum. Applicants, therefore,

respectfully submit that Fahy and van Oijj are non-analogous art and cannot be properly combined under 35 U.S.C. 103.

The rejection of Claims 20-25, 27, 29 and 32 under 35 U.S.C. 103(a) as being unpatentable over Fahy (U.S.P.N. 5,488,984) in view of Heimann et al. (U.S.P.N. 6,165,257), is respectfully traversed.

Fahy contains the aforementioned deficiencies. Similar to van Oijj described above, Heimann lacks any disclosure that his chemistry is useful in treating electric motor components, or improving resistance to molten metals, or reducing adhesion between steel and aluminum. The Final Office Action has failed to demonstrate that a skilled person in this art would have the requisite motivation, which is based upon the disclosure of the applied references, to combine the applied references. As a result, Fahy and Heimann cannot support a finding that the instant claims are prima facie obvious.

The rejection of Claims 26 and 28 under 35 U.S.C. 103(a) as being unpatentable over Fahy and van Oijj or Heimann as applied to Claim 25, and further in view of Miyosawa (U.S.P.N. 4,016,129), is respectfully traversed.

Fahy, van Oijj and Heimann each contain the aforementioned deficiencies. These deficiencies are not remedied by Miyosawa. Miyosawa lacks any disclosure of using a silicate. Miyosawa dissolves silica (not a silicate) into polyvinyl alcohol. None of the applied references including Miyosawa provide any motivation to combine the applied references or to employ any combination to treat components for electric motors. Applicants respectfully submit that in the absence of Applicants' disclosure these references would not be deemed related. The lack of such a relationship or combination fails to support a proper combination or prima facie case of obviousness.

The rejection of Claim 30 under 35 U.S.C. 103(a) as being unpatentable over Fahy and van Oijj or Heimann as applied to Claim 25 and further in view of Takimoto et al. (U.S.P.N. 5,298,059), is respectfully traversed.

Fahy, van Oijj and Heimann each contain the aforementioned deficiencies. Takimoto clearly teaches away from silica or a silica containing composition (e.g., see

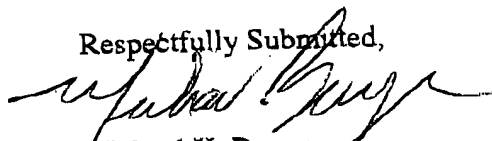
Abstract Takimoto). Further, Takimoto is limited to anticorrosive coatings and lacks any disclosure relating to protecting surfaces from molten metal or electric motors (e.g., rust-proofed steel for use in electrical appliances is not equivalent to usage in an electrical motor.). Takimoto, therefore, fails to remedy the deficiencies of the primary references and, accordingly, Applicants respectfully request withdrawal of this rejection.

The rejection of Claim 31 under 35 U.S.C. 103(a) as being unpatentable over Fahy, van Ooij or Heimann as applied to Claim 25 and further in view of Ettinger et al. (U.S.P.N. 4,479,104), is respectfully traversed.

Ettinger fails to remedy the aforementioned deficiencies of Fahy, van Ooij and Heimann. Ettinger relates to transformer cores having an electrically insulating semiconducting layer between laminations. The purpose of these electrically insulating layers is not identified as being useful as a molten metal protectant or that an electrical motor is improved by providing any degree of conductivity at an impulse voltage. For these reasons, Ettinger is not properly combined with the primary references and cannot establish a prima facie case of obviousness.

Applicants believe that the pending claims define patentable subject matter and respectfully request issuance of a Notice of Allowability for the instant application. Should there any fee due in connection with the instant application, please charge the same to Deposit Account No. 15-0680 (Orscheln Management Co.). Should the Examiner deem that any further action on the part of Applicants would advance prosecution of this application, the Examiner is invited to telephone Applicants' attorney.

Respectfully Submitted,



Michael K. Boyer
Attorney for Applicants
U.S.P.T.O. Reg No 33085
Tel: 660 269-4536 / Fax: 660 269-4530
email: mboyer@orscheln.com

Encl.: Certificate of Facsimile Transmission Dated: October 21, 2002 (October 19, 2002 is a Saturday).